

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

FRIDAY, THE 26TH OCTOBER 2007 / 4TH KARTHIKA 1929

S.A.No. 522 of 2000(D)

(AS.33/1997 of *PRINCIPAL SUB COURT,KOCHI*
OS.183/1996 of *PRL.MUNSIFF'S COURT, KOCHI*)

APPELLANT/APPELLANT/1ST DEFENDANT:

ABOBACKER,
AGED 60, BUSINESS,
S/O. KUNJIMEERAN,
KARUKAPPADATH HOUSE,
EDAVANAKKAD DESOM,
EDAVANAKKAD VILLAGE,
KOCHI TALUK.

BY ADV. SRI.K.K.M. SHERIF
ADV. SRI.LAL K. JOSEPH

RESPONDENTS/RESPONDENTS/PLAINTIFF & SECOND DEFENDANT:

1. INDIAN BANK (A NATIONALISED BANK)
REPRESENTED BY PRINCIPAL OFFICER AND MANAGER,
BRANCH KODUNGALLUR,
HEAD OFFICE-31, RAJAJI SALAI,
MADRAS – 600 001.
2. ABDU,
AGED 68, BUSINESS,
S/O. KUNJIMEERAN,
KARUKAPPADATH HOUSE,
EDAVANAKKAD DESOM, EDAVANAKKAD VILLAGE,
KOCHI TALUK.

BY ADV. SRI.E. SUBRAMANI
ADV. SRI.S. EASWARAN

THIS SECOND APPEAL HAVING COME UP FOR ORDERS
ON 26/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K. PADMANABHAN NAIR ,J.

C.M.P.No.1374 of 2000

IN

S.A.No.522 of 2000

Dated, this the 26th day of October, 2007

ORDER

When this petition comes up for curing defects the learned counsel appearing for the petitioner submits that the matter has been settled out of court and, therefore, this petition may be dismissed as withdrawn.

In the result, this petition is dismissed as withdrawn.

**K. PADMANABHAN NAIR,
JUDGE.**

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K.PADMANABHAN NAIR, J.

S.A.No.522 of 2000

JUDGMENT

26th October, 2007.

K. PADMANABHAN NAIR ,J.

S.A.No.522 of 2000

Dated, this the 26th day of October, 2007
JUDGMENT

This appeal is filed after the expiry of the period of limitation along with C.M.P.No.1374/2000, petition to condone delay. The learned counsel appearing for the appellant submits that the matter has been settled out court. I have dismissed the petition to condone the delay in filing the appeal as withdrawn. In view of the submission made by the counsel for the appellant this appeal is only to be dismissed as settled out of court.

In the result, appeal is dismissed as settled out of court.

K. PADMANABHAN NAIR,
JUDGE.

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K.PADMANABHAN NAIR, J.

S.A.No.522 of 2000

JUDGMENT

26th October, 2007.